

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

IN RE THORNBURG MORTGAGE, INC.  
SECURITIES LITIGATION

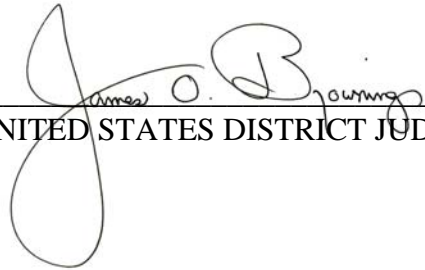
No. CIV 07-0815 JB/WDS

**ORDER**

**THIS MATTER** comes before the Court on the Motion of Underwriter Defendants for Judgment Under Fed. R. Civ. P. 54(b), filed February 8, 2010 (Doc. 255). The Court held a hearing on June 9, 2010. The primary issue is whether the Court should enter a judgment in favor of Defendants A.G. Edwards & Sons, Inc., BB&T Capital Markets, a division of Scott & Stringfellow, Inc., Bear, Stearns & Co. Inc. (now J.P. Morgan Securities Inc.), Citigroup Global Markets, Inc., Friedman, Billings, Ramsey & Co., Inc., Oppenheimer & Company, Inc., RBC Dain Rauscher Corp., Stifel, Nicolaus & Company, Incorporated, and UBS Securities LLC (“the Underwriter Defendants”) because the Court dismissed the claims against those Defendants in a Memorandum Opinion and Order filed January 27, 2010. See Memorandum Opinion and Order at 36, filed January 27, 2010 (Doc. 251). Because the Court will grant the Plaintiffs’ Motion for Clarification of the Court’s January 27, 2010 Memorandum Opinions and Orders Granting in Part and Denying in Part the Defendants’ Motions to Dismiss the Consolidated Amended Complaint, filed February 5, 2010 (Doc. 254), and will allow the Plaintiffs to file a motion for leave to amend the Consolidated Amended Complaint and for reconsideration, the Court finds that entry of final judgment as to the Underwriter Defendants is not appropriate at this time.

**IT IS ORDERED** that the Motion of Underwriter Defendants for Judgment Under Fed. R. Civ. P. 54(b) is denied without prejudice to them renewing the motion after the Court considers the

Lead Plaintiffs' proposed motion to amend and to reconsider.



UNITED STATES DISTRICT JUDGE

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